

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. 6-95-120
WDID NO. 6B150303017

REVISED WASTE DISCHARGE REQUIREMENTS

FOR

TEHACHAPI CLASS III LANDFILL

Kern County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

On October 13, 1995 the County of Kern submitted a complete revised Report of Waste Discharge for the Tehachapi Class III Landfill. For the purpose of this Regional Board Order (Order), the County of Kern is referred to as the "Discharger."

2. Landfill

The Tehachapi Class III Landfill is the facility that receives and stores waste. For the purpose of this Order, the Tehachapi Class III Landfill is referred to as the "Landfill".

3. Order History

The Regional Board previously adopted Waste Discharge Requirements (WDRs) for the Landfill under Board Order No. 6-84-51, which was adopted on May 11, 1984. The Regional Board adopted Board Order No. 6-86-60 on May 15, 1986, which revised the WDRs for the Landfill and incorporated requirements for a Septage Landfarm (Landfarm). Board Order No. 6-93-10027 was adopted on September 9, 1993, and amended the WDRs for the Landfill to incorporate the requirements of Title 40, Code of Federal Regulations, Parts 257 and 258 (Subtitle D) as implemented in the State of California under State Water Resources Control Board (SWRCB) Resolution No. 93-62.

4. Reason for Action

The Regional Board is revising these WDRs to require the Discharger to achieve compliance with the revised requirements of Article 5, Chapter 15, Title 23, California Code of Regulations (Chapter 15), to incorporate requirements of the previously adopted Board Order amendment No. 6-93-10027, to indicate that the Landfarm is inactive, and to incorporate a time schedule proposed by the Discharger for compliance with Chapter 15 and Subtitle D.

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5. Time Schedules

Board Order No. 6-93-10027 contained a time schedule for the Discharger to comply with Subtitle D and Chapter 15. Specific elements of the time schedule are past due. The Discharger has submitted an alternative time schedule which is reasonable based on the financial constraints of the Discharger. The submitted time schedule demonstrates a commitment by the Discharger toward compliance with Chapter 15 and Subtitle D and improvement of the operations of the Landfill. This Board Order documents the time schedule submitted by the Discharger. The Regional Board intends to take formal enforcement action in the case of non-compliance with the time schedule contained in this Order.

6. Landfill Location

The Landfill is located approximately four and one-half miles east of the Community of Tehachapi, Kern County, within the NW/4, NW/4 of Section 28, T32S, R34E, MBB&M, as shown on Attachment "A," which is made part of this Order.

7. Description of Landfill

The Landfill is an unlined landfill which receives greater than 100 tons of waste per day. Based on the quantity of waste received per day, the Landfill is a Large landfill as defined in Subtitle D. As such, Subtitle D requirements became effective for this Landfill on October 9, 1993. Regional Board staff have reviewed information submitted by the Discharger which illustrates the footprint of waste discharged as of October 9, 1993. The footprint documents the limits of waste which are exempt from Subtitle D requirements for composite liners, and is shown as Attachment "B", which is made part of this Order.

8. Formerly Operated Landfarm

The Landfarm is an unlined five acre area which formerly received approximately 0.25 million gallons of septage and chemical toilet waste per year. Section 2532(b)(5) of Chapter 15 defines the treatment zone beneath the Landfarm as a maximum five foot depth, and requires the Discharger to monitor the soil and soil-pore liquids within the treatment zone to demonstrate that no wastes are migrating vertically past the treatment zone.

The Discharger has conducted an investigation and determined that the five foot treatment zone beneath the Landfarm has not been maintained. The Discharger ceased accepting waste at the Landfarm in June 1995, and does not intend to reactivate the Landfarm. This Order includes a requirement for the Discharger to submit a time schedule to close the Landfarm in accordance with the requirements of Chapter 15.

9. Authorized Disposal Site

The footprint of waste shown in Attachment "B" is the only authorized Landfill disposal site. A revised Report of Waste Discharge is required if the Discharger proposes to discharge waste outside the footprint area. Discharges of septage waste to the Landfarm are not authorized by this Order.

10. Waste Classification

The Landfill receives waste derived from the Community of Tehachapi and the surrounding mountain and foothill communities. The waste received at the Landfill is defined in Sections 2524 and 2523 of Chapter 15 as inert and non-hazardous solid waste, respectively, and is defined as municipal solid waste in Subtitle D.

11. Waste Management Unit Classification

Pursuant to Section 2533, Chapter 15, Title 23, California Code of Regulations, the Landfill is classified as a Class III Waste Management Unit. The Landfill is classified as a Large Landfill in Subtitle D.

12. Subtitle D Compliance Status

Board Order amendment No. 6-93-10027 required the submittal of several items in order to comply with Subtitle D for the Landfill. The Discharger has submitted complete information regarding the acceptance of liquids, the existing waste footprint, the distance from the Landfill to the nearest drinking water source, and whether the Landfill is located in a 100 year floodplain or a wetlands. This Order includes a time schedule to submit a revised Water Quality Protection Standard (WQPS) which meets the requirements of Subtitle D and Chapter 15. The above listed items which have already been submitted in conjunction with the submittals required by this Order fulfill the submittal requirements of Subtitle D as implemented by SWRCB Resolution No. 93-62.

13. Water Quality Protection Standard

The WQPS consists of constituents of concern (including monitoring parameters), concentration limits, monitoring points, and the point of compliance. The standard applies over the active life of the Landfill, closure and post-closure maintenance period, and the compliance period. This Order includes a time schedule for the Discharger to propose concentration limits for all constituents of concern.

The ground water at the point of compliance has been polluted by releases from the Landfill and/or Landfarm. The constituents of concern and monitoring points are described in Monitoring and Reporting Program 95-120, which is attached to and made a part of this Order. The monitoring points have been established to evaluate the condition of ground water pollution during an Evaluation Monitoring Program (EMP), and includes wells at the point of compliance.

14. Statistical Methods

Statistical analysis of monitoring data is not necessary for this Landfill because the ground water has already been polluted, and the Discharger is conducting an EMP. The Discharger will conduct non-statistical analysis of data to determine if any new releases occur during the EMP and/or Corrective Action Program (CAP). Non-statistical methods for data analysis are described in Monitoring and Reporting Program No. 95-120.

15. Detection Monitoring

The Discharger is currently conducting an EMP to evaluate the extent of the impacts to water quality and to design a CAP. A Detection Monitoring Program is not required during the EMP or the CAP. A Detection Monitoring Program will be re-established once the condition of ground water pollution is abated.

16. Evaluation Monitoring

An EMP is required, pursuant to Section 2550.9 of Chapter 15, Title 23, California Code of Regulations, to evaluate evidence of a release which has been verified at the Landfill. Monitoring and Reporting Program 95-120 establishes and describes the EMP, and requires the submittal of periodic reports demonstrating progress toward developing a CAP.

17. Corrective Action

A CAP to remediate released wastes from the Landfill may be required pursuant to Section 2550.10 should results of the EMP warrant a CAP.

18. Discharge of Monitoring Well Purge Water

As part of regularly scheduled ground water sampling events, ground water monitoring wells are purged of several volumes of water to assure collection of a representative sample. Common practice is to discharge the purge water at the Landfill, which may include use of the water for dust control. Because the aquifer beneath the Landfill is polluted by volatile organic constituents (VOCs), the purge water also contains these constituents at concentrations greater than background water quality. The best practicable treatment technology can remove VOCs from water to non-detectable concentrations. This Order prohibits the discharge of purge water containing detectable concentrations of VOCs at the Landfill.

19. Site Geology

Depth to granitic bedrock beneath the Landfill ranges from approximately 30 to 100 feet below ground surface. The unconsolidated strata above the bedrock consists of silts, sands, and gravels. The Garlock Fault, a major east-west trending lateral motion structural feature, is located approximately 2.5 miles southeast of the Landfill.

20. Site Hydrogeology

The first ground water beneath the Landfill is found in unconsolidated materials at depths ranging from approximately 65 to 90 feet below ground surface. Ground water beneath the site flows in a south-southwest direction at a slope of 0.14 feet per mile.

21. Site Surface Hydrology and Storm Water Runoff

There is no perennial surface water flow at the site. Proctor Lake, a dry playa, is located approximately 1/4 mile south of the Landfill. All storm water from the Landfill is regulated under the state Amended General Industrial Activities Storm Water Permit.

22. Site Topography

Site topography is shown on Attachment "A", which is made a part of this Order.

23. Climatology

The precipitation in the area of the Landfill is approximately 7.0 inches annually. The evaporation rate is approximately 80 inches annually.

24. Land Uses

The land uses at and surrounding the Landfill are:

- a. agricultural; and,
- b. industrial at the Calaveras Cement Plant.

25. Closure and Post-Closure Maintenance

The Discharger submitted a Preliminary Closure and Post-Closure Maintenance Plan (CPCMP) in 1991. The plan needs to be revised to reflect revisions to Chapter 15 and the new Subtitle D requirements. This Order includes a time schedule for the Discharger to submit a revised CPCMP. This Order also requires that the Discharger review the plan annually as part of the annual report for the Landfill to determine if significant changes in the operation of the Landfill warrant an update of the plan.

26. Financial Assurance

The Discharger has not provided documentation that a financial assurance fund has been developed for closure, post-closure maintenance, and potential corrective action requirements. This Order includes a time schedule for the Discharger to submit documentation of financial assurance for closure to the Integrated Waste Management Board (IWMB) and to the Regional Board for potential future corrective action requirements.

The Regional Board can access closure funds held by the IWMB. The IWMB does not require financial assurance for potential corrective action requirements. Once the financial assurance is established, this Order also requires that the Discharger demonstrate in an annual report that the amount of financial assurance is adequate, or increase the amount of financial assurance.

27. Receiving Waters

The receiving waters are the ground waters of the Antelope Valley Ground Water Basin (Department of Water Resources No. 6-44).

28. Basin Plan

The Regional Board adopted a Water Quality Control Plan for the Lahontan Basin (Basin Plan), which became effective March 31, 1995. This Order implements the Basin Plan.

29. Beneficial Ground Water Uses

The present and probable beneficial uses of the ground waters of the Antelope Valley Ground Water Basin as set forth and defined in the Basin Plan are:

- a. municipal and domestic supply;
- b. agricultural supply;
- c. industrial service supply; and
- d. freshwater replenishment.

30. California Environmental Quality Act

These WDRs govern an existing facility that the Discharger is currently operating. The project consists only of the continued operation of the Landfill and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) in accordance with Section 15301 of the CEQA Guidelines.

31. Notification of Interested Parties

The Regional Board has notified the Discharger and all known interested agencies and persons of its intent to adopt revised WDRs for the project.

32. Consideration of Interested Parties

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

The discharge of waste shall not cause the presence of the following substances or conditions in ground waters of the Antelope Valley Ground Water Basin:

1. any perceptible color, odor, taste, or foaming;
2. any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause detrimental physiological response in humans, plants, animals, or aquatic life; and
3. the presence of constituents of concern in concentrations that exceed background levels.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. The discharge shall not cause a pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.
2. The discharge shall not cause a nuisance as defined in Section 13050 of the California Water Code.
3. The discharge of solid wastes, leachate, or any other deleterious material to the ground waters of the Antelope Valley Ground Water Basin is prohibited.
4. The discharge of waste except to the authorized disposal site is prohibited.
5. The disposal site shall be protected from inundation, washout, or erosion of wastes and erosion of covering materials resulting from a storm or a flood having a recurrence interval of once in 100 years.
6. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources shall not contact or percolate through solid wastes discharged at the site.
7. The exterior surfaces of the disposal site shall be graded to promote lateral runoff of precipitation and to prevent ponding.

8. Water used for dust control during disposal site operations shall be limited to a minimal amount. A "minimal amount" is defined as that amount which will not result in runoff.
9. Wastes other than inert wastes shall not be placed in ponded water from any source whatsoever.
10. No hazardous or designated wastes shall be discharged to the Landfill.
11. The discharge of wastes in a manner that does not maintain a five foot soil separation between the wastes and the seasonal high ground water elevation is prohibited.
12. Waste discharged to the Landfill shall have a solids content of 50 percent or greater.
13. The Discharger shall remove and relocate any waste which is or has been discharged at the disposal site in violation of these requirements.
14. During periods of precipitation, the disposal activity shall be confined to the smallest area possible based on the anticipated quantity of wastes and operation procedures.
15. At closure, all facilities must be closed in accordance with a final CPCMP approved by the Regional Board.
16. At any given time, the concentration limit for each constituent of concern in ground water shall be equal to the background value of that constituent.
17. The concentration limit for each constituent of concern in ground water shall not be exceeded.
18. All purge water discharged at the Landfill shall not contain detectable concentrations of VOCs.

B. Detection Monitoring Program

The Discharger is currently conducting an Evaluation Monitoring Program, and thus a Detection Monitoring Program is not required at this time. The Discharger shall re-establish a Detection Monitoring Program as required in Section 2550.1(a)(1) of Chapter 15 if required by the Regional Board.

C. Evaluation Monitoring Program

The Discharger shall establish a revised EMP whenever there is significant evidence of a new release from the Landfill as required in Section 2550.1(a)(2) or (3) of Chapter 15.

D. Corrective Action Program

The Discharger shall institute a CAP when required pursuant to Section 2550.1(a)(4) of Chapter 15.

III. DATA ANALYSIS

A. Nonstatistical Analysis

The Discharger shall determine whether there is significant non-statistical evidence of a new release from the Landfill. Non-statistical evidence may include time series plots, unexplained volumetric changes in the Landfill, unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, unexplained water table mounding beneath or adjacent to the Landfill, or any other change in the environment that could be reasonably be expected to be the result of a new release from the Landfill.

B. Verification Procedures

1. The Discharger shall immediately initiate verification procedures as specified below whenever there is a determination by the Discharger or Executive Officer that there is evidence of a new release. If the Discharger declines the opportunity to conduct verification procedures, the Discharger shall submit a technical report as described below under the heading Technical Report Without Verification Procedures.
2. The verification procedure shall only be performed for the constituent(s) that has shown evidence of a release, and shall be performed for those monitoring points at which a release is indicated.
3. The Discharger shall either conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event or shall conduct a discrete retest in which only data obtained from the resampling event shall be analyzed in order to verify evidence of a release.
4. The Discharger shall report to the Regional Board by certified mail the results of the verification procedure, as well as all concentration data collected for use in the retest, within seven days of the last laboratory analysis.

5. The Discharger shall determine, within 45 days after completion of sampling, whether there is evidence of a new release from the Landfill at each monitoring point. If there is evidence of a new release, the Discharger shall immediately notify the Regional Board by certified mail. The Executive Officer may make an independent finding that there is evidence of a new release.
6. If the Discharger or Executive Officer verifies evidence of a new release, the Discharger is required to submit, within 90 days of a determination that there is or was a new release, a technical report pursuant to Section 13267(b) of the California Water Code. The report shall propose a revised EMP OR make a demonstration to the Regional Board that there is a source other than the Landfill that caused evidence of a new release.

C. Technical Report Without Verification Procedures

If the Discharger chooses not to initiate verification procedures, a technical report shall be submitted pursuant to Section 13267(b) of the California Water Code. The report shall propose a revised EMP, OR, attempt to demonstrate that the release did not originate from the Landfill.

IV. PROVISIONS

A. Rescission of Waste Discharge Requirements

Board Orders No. 6-86-60 and 6-93-10027 are hereby rescinded.

B. Standard Provisions

The Discharger shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment "C", which is made part of this Order.

C. Monitoring and Reporting

1. Pursuant to the California Water Code Section 13267(b), the Discharger shall comply with the Monitoring and Reporting Program No. 95-120 as specified by the Executive Officer.
2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the Monitoring and Reporting Program.

D. Closure and Post-Closure Monitoring

The preliminary CPCMP shall be updated if there is a substantial change in operations. A report shall be submitted annually as part of the annual report for the Landfill indicating conformance with existing operations. A final CPCMP shall be submitted at least 180 days prior to beginning any partial or final closure activities or at least 120 days prior to discontinuing the use of the site for waste treatment, storage or disposal, whichever is greater.

E. Financial Assurance

The Discharger shall submit a report annually as part of the annual report for the Landfill providing evidence that adequate financial assurance pursuant to the requirements of the WDRs has been provided for closure and for potential releases. Evidence shall include the total amount of money available in the fund developed by the Discharger. In addition, the Discharger shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by the appropriate amount. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved closure plan, or other unforeseen events.

F. Modifications to the Landfill

If the Discharger intends to expand the capacity of the Landfill, a report shall be filed no later than 90 days after the total quantity of waste discharged at this site equals 75 percent of the reported capacity of the site. The report shall contain a detailed plan for site expansion. This plan shall include, but is not limited to a time schedule for studies, design, and other steps needed to provide additional capacity. If site expansion is not undertaken prior to the site reaching the reported capacity, the total quantity discharged shall be limited to the reported capacity.

V. TIME SCHEDULE

A. Landfarm Closure

By February 1, 1996, the Discharger shall submit a time schedule to the Regional Board for closure of the Landfarm in accordance with the requirements of Chapter 15.

B. Preliminary Closure and Post-Closure Maintenance Plan

By October 2, 1996 the Discharger shall submit a preliminary CPCMP for the Landfill which addresses items required by Chapter 15 and Subtitle D.

C. Financial Assurance

By October 2, 1996, the Discharger shall submit evidence of financial assurance to the IWMB for closure and to the Regional Board for potential future corrective action requirements.

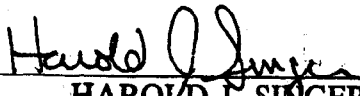
D. Detection Monitoring Program

By September 15, 1997, OR, within 1 year of receiving site access for drilling of monitoring point(s), which ever is earlier, the Discharger shall submit a technical report which documents the installation of an additional monitoring point(s) for determination of background water quality.

E. Water Quality Protection Standard

By April 15, 1998, OR, within 2 years of receiving site access for the drilling of a new background monitoring point(s), which ever is earlier, the Discharger shall submit a technical report which proposes concentration limits for all monitoring parameters and constituents of concern listed in this Order.

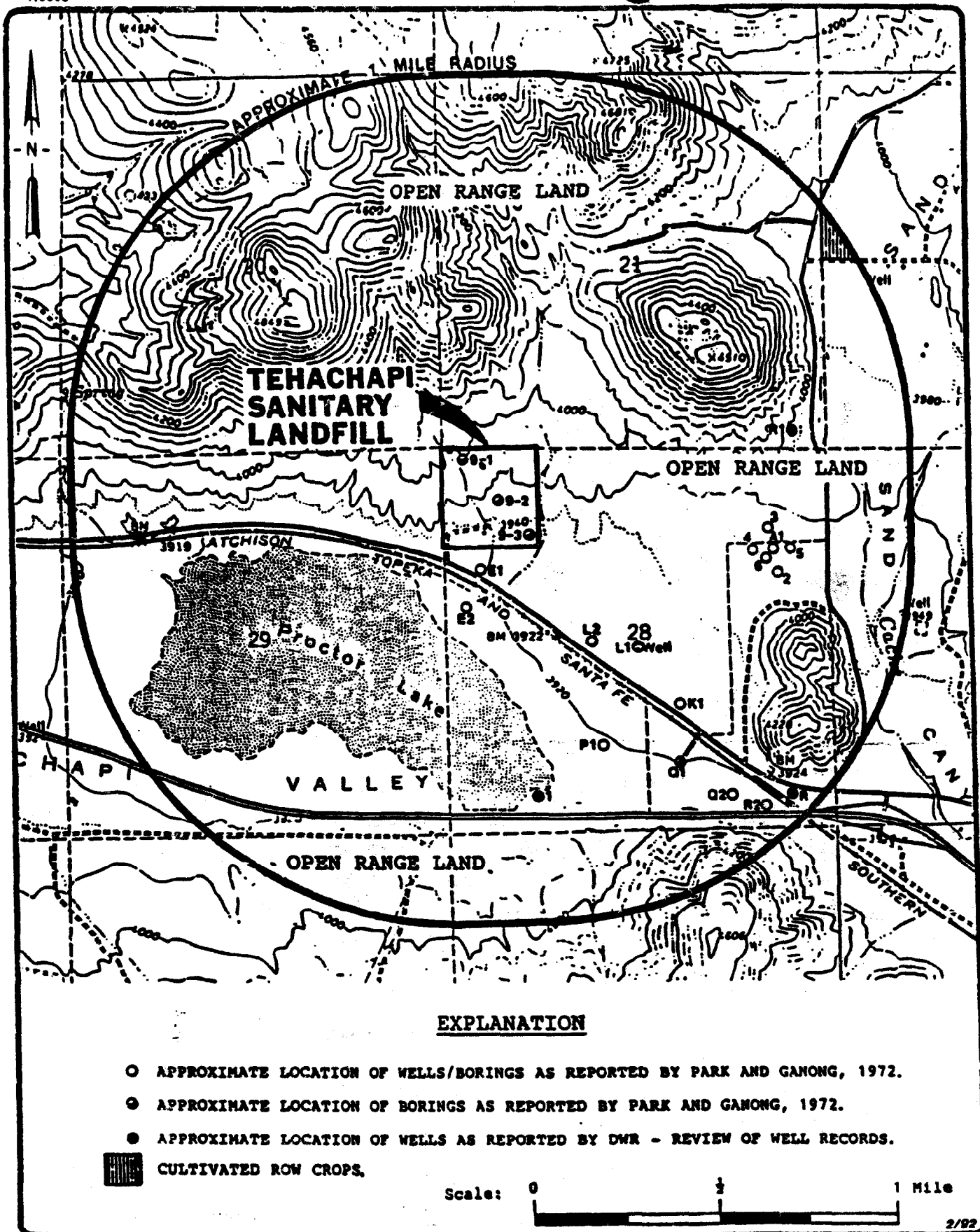
I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on November 9, 1995.



HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments:

- A. Location and Topography Map
- B. Landfill Footprint of Waste
- C. Standard Provisions for Waste Discharge Requirements



EMCON
Associates

KERN COUNTY DEPARTMENT OF PUBLIC WORKS
TEHACHAPI SANITARY LANDFILL
REPORT OF DISPOSAL SITE INFORMATION
KERN COUNTY, CALIFORNIA

WELL LOCATION MAP - LAND USE MAP
TEHACHAPI SANITARY LANDFILL

FIGURE

11

PROJECT NO.
B67-02.10